

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN, NORTHERN DIVISION**

In re:

PORter's PENINSULA LOGGING LLC,  
Debtor.

Chapter 11  
Case No. 23-20563  
Hon. Daniel S. Opperman

**MOTION TO EXTEND DEADLINE FOR FILING CHAPTER 11 PLAN**

NOW COMES the Debtor, by and through its attorneys Warner Norcross & Judd LLP, and in this Motion to Extend Deadline for filing of Chapter 11 Plan, states as follows:

1. The Debtor filed for protection under Chapter 11 of the bankruptcy code on or about May 19, 2023.
2. The Debtor continues to operate a logging business and its sole income is derived from that business.
3. The Debtor filed a Motion to Establish Value of Komatsu Financial Limited Partnership's Collateral on July 27, 2023. On July 31, 2023, Komatsu Financial Limited Partnership filed an Objection to Debtor's Motion to Establish Value of their Collateral.
4. The Debtor is aware that in the Order Establishing Deadlines and Procedures, the deadline for filing a motion to extend the deadline for filing a plan was July 18, 2023, however, the Debtor only recently knew for certain that there was a valuation issue and Debtor's appraisal will not be complete until the end of next week.
5. The current deadline to file the Chapter 11 Plan is August 17, 2023. Additional time is needed to finalize the documentation necessary for this restructure. 11 U.S.C. § 1221 requires the filing of a plan within 90-days of the date of filing unless a need

for an extension is attributable to certain circumstances for which the Debtor should not be justly held accountable.

6. The requirement of 11 U.S.C. § 1221 is met in this matter, due to the fact that it is more accurate and as effective for the Debtor to file a plan which includes viable projections after the valuation of equipment so that projections are meaningful.
7. The requirement that a request for a short extension is attributable to circumstances for which the Debtor should not justly be held accountable is clearly met.
8. The Debtor requests until September 18, 2023 to file its Chapter 11 Plan.

WHEREFORE, the Debtor prays that this Honorable Court will enter its Order granting an extension to the Debtor until September 18, 2023 for the filing of the Chapter 11 Plan, which order shall be in the form attached hereto as Exhibit "1".

WARNER NORCROSS & JUDD LLP

Dated: August 1, 2023.

By:

/s/ Rozanne M. Giunta  
ROZANNE M. GIUNTA (P29969)  
Attorneys for Debtor  
715 E. Main Street, Suite 110  
Midland, Michigan 48640  
(989) 698-3758  
rgiunta@wnj.com

# Exhibit 1

## UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF MICHIGAN, NORTHERN DIVISION

In re:

PORTER'S PENINSULA LOGGING LLC,  
Debtor.

Chapter 11  
Case No. 23-20563  
Hon. Daniel S. Opperman

### ORDER APPROVING MOTION TO EXTEND TIME TO FILE CHAPTER 11 PLAN

The Debtor having filed a Motion to Extend the Time to File Chapter 11 Plan in this matter and the Debtor having stated good reason and justification for said extension;

IT IS HEREBY ORDERED that the deadline to file its Chapter 11 Plan is hereby extended until Monday, September 18, 2023.

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN, NORTHERN DIVISION**

In re:

PORTER'S PENINSULA LOGGING LLC,  
Debtor.

Chapter 11  
Case No. 23-20563  
Hon. Daniel S. Opperman

**NOTICE OF MOTION TO EXTEND DEADLINE  
FOR FILING CHAPTER 11 PLAN**

The Debtor has filed a Motion to Extend Deadline to File Chapter 11 Plan in the above matter.

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant relief sought in the Motion, or if you want the Court to consider your views on the Motion, within **fourteen (14) days**, you or your attorney must:

1. File with the Court a written response or an answer, explaining your position at<sup>1</sup>:  
**United States Bankruptcy Court  
111 First Street  
Bay City, Michigan 48708**

If you mail your response to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

You must also mail a copy to:

**Rozanne M. Giunta  
Warner Norcross & Judd LLP  
Attorneys for Debtor  
715 E. Main Street, Suite 110  
Midland, MI 48640**

2. If a response or answer is timely filed and served, the Clerk will schedule a hearing on the Motion, and you will be served with a notice of the date, time and location of the hearing.

**If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.**

Dated: August 1, 2023.

**WARNER NORCROSS & JUDD LLP**

/s/ Rozanne M. Giunta  
**ROZANNE M. GIUNTA (P29969)**  
Attorneys for Debtor  
715 E. Main Street, Suite 110  
Midland, Michigan 48640  
(989) 698-3758  
rgiunta@wnj.com

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<sup>1</sup>Response or answer must comply with F.R.Civ.P. 8(b), (c) and (e).

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN, NORTHERN DIVISION

In re:

PORTER'S PENINSULA LOGGING LLC,  
Debtor.

Chapter 11  
Case No. 23-20563  
Hon. Daniel S. Opperman

**CERTIFICATE OF SERVICE**

I hereby certify that I am employed with the law offices of Warner Norcross & Judd LLP and that on August 1, 2023, I electronically filed the foregoing **NOTICE and MOTION TO EXTEND DEADLINE FOR FILING CHAPTER 11 PLAN** with the Clerk of the Court using the ECF system and I hereby certify that I have mailed by U.S. Postal Service the **NOTICE and MOTION TO EXTEND DEADLINE FOR FILING CHAPTER 11 PLAN** to the following non-ECF participants on August 1, 2023, to **ALL CREDITORS AND INTERESTED PARTIES** listed on the matrix on file attached hereto and on file with this Court.

WARNER NORCROSS & JUDD LLP

Dated: August 1, 2023.

By:

/s/ Sondra J. Cardinal  
SONDRA J. CARDINAL  
Legal Assistant to Rozanne M. Giunta  
715 E. Main Street, Suite 110  
Midland, Michigan 48640  
(989) 698-3738  
scardinal@wnj.com

Label Matrix for local noticing

0645-1

Case 23-20563-dob

Eastern District of Michigan

Bay City

Tue Aug 1 15:01:01 EDT 2023

B2B Financing, LLC

100 Quentin Roosevelt Blvd.

Garden City, NY 11530-4874

Attorney General

Law Building

515 Ottawa

Lansing, MI 48913-0001

BW & US Tax Office

3024 W. Grand Blvd., Ste. 11-500

Detroit, MI 48202-6024

B2B Financing

100 Quentin Roosevelt Blvd.

Suite 204

Garden City, NY 11530-4843

Douglas C. Bernstein

38505 Woodward Avenue

Suite 2000

Bloomfield Hills, MI 48304-5093

Blarney Castle Oil Co.

P.O. Box 246

Bear Lake, MI 49614-0246

Kimberly Ross Clayson

Taft Stettinius & Hollister, LLP

27777 Franklin Rd. Suite 2500

Southfield, MI 48034-8222

Corrigan Oil Co.

775 N. Second

Brighton, MI 48116-1262

Corrigan Oil Co., No. II

Attn: Connie M. Pratt

775 N. Second St.

Brighton, MI 48116-1262

Rozanne M. Giunta

Warner Norcross & Judd LLP

715 E. Main Street

Suite 110

Midland, MI 48640-5488

Timothy Graves (UST)

211 W. Fort St.

Suite 700

Detroit, MI 48226-3263

Great Lakes Collection Agency

P.O. Box 638

Manistee, MI 49660-0638

INTERNAL REVENUE SERVICE

P O BOX 330300 STOP 15

DETROIT MI 48232

Internal Revenue Service

P.O. Box 7346

Philadelphia, PA 19101-7346

Komatsu Financial

1701 West Golf Road

Rolling Meadows, IL 60008-4227

(p) KOMATSU AMERICA CORP

ATTN BEA BARRY

8770 W BRYN MAWR AVENUE STE 100

CHICAGO IL 60631-3782

Komatsu Financial Limited Partnership

c/o Plunkett Cooney attn: Douglas C. Ber

38505 Woodward Avenue

Bloomfield Hills, MI 48304-5093

Komatsu Financial Limited Partnership

c/o Plunkett Cooney/Doug Bernstein

38505 Woodward Avenue, Suite 100

Bloomfield Hills, MI 48304-5096

Lutke Equipment LLC

606 RW Harris

Manton, MI 49663-9775

Michigan Department of Natural

Resources

Attn: Jenny McGregor

2122 M 37 South

Traverse City, MI 49685-8061

Michigan Department of Treasury

Bankruptcy Unit

P.O. Box 30168

Lansing, MI 48909-7668

(p) STATE OF MICHIGAN UNEMPLOYMENT INSURANCE

ATTN BANKRUPTCY UNIT

3024 W GRAND BLVD

SUITE 12-100

DETROIT MI 48202-6024

Karolina F. Perr

Wood & Lampert, LLP

600 Vine Street

Suite 2500

Cincinnati, OH 45202-2491

Porter's Peninsula Logging LLC

17985 Fourth Street

Atlanta, MI 49709-9514

(p) INTERNAL REVENUE SERVICE

CENTRALIZED INSOLVENCY OPERATIONS

PO BOX 7346

PHILADELPHIA PA 19101-7346

U.S. Attorney

Attn: Civil Division

101 First Street, Suite 200

Bay City, MI 48708-5747

Woodland Equipment Inc.

1581 W. Adams Street

P.O. Box 387

Iron River, MI 49935-0387

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Komatsu Financial Limited Partnership  
8770 W. Bryn Mawr Ave., Suite 100  
Chicago, IL 60637

Michigan Unemployment Agency  
P.O. Box 169  
Grand Rapids, MI 49501

SBSE/Insolvency Unit  
Internal Revenue Service  
Box 330500 - Stop 15  
Detroit, MI 48232

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Komatsu Financial Limited Partnership

(u) Andrew R. Vara

End of Label Matrix	
Mailable recipients	27
Bypassed recipients	2
Total	29